

**To:** Gunnar Fridriksson[Gunnar.Fridriksson@ci.bremerton.wa.us]  
**From:** Mark Koontz  
**Sent:** Thur 3/18/2010 9:33:03 AM  
**Subject:** FW: City v. Sesko - Easement Location (ER 408)  
[3569 ROS REV 3-17-10.PDF](#)  
[Gorst Property City of Bremerton digging the ground 032.JPG](#)  
[Gorst property May 09 city encroachment.JPG](#)  
[Gorst otherside of railway track.JPG](#)

Gunnar,

I left you a voice mail message this morning. Here is Ms. Sesko's proposed easement for the sewer lines on her Gorst property. Brad's initial impression is that Ms. Sesko's surveyor has established the southeast property line further away from the highway than the survey we relied on. Therefore, the sewer lines encroach on her property less than we thought. I will attach the City's proposed easement in a subsequent email to you. Is her surveyor's diagram accurate? Would you feel comfortable accepting the easement as she proposes?

Unfortunately, we need to resolve this issue today. Sorry for inconvenience.

-Mark

Mark E. Koontz  
Assistant City Attorney  
City of Bremerton  
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**From:** Chris Wion [mailto:[chrisw@dhl.com](mailto:chrisw@dhl.com)]  
**Sent:** Thursday, March 18, 2010 8:32 AM  
**To:** Mark Koontz  
**Subject:** City v. Sesko - Easement Location (ER 408)

Mark,

I am attaching the following:

- An updated Record of Survey, which shows the location of the existing vaults and sewer lines, as well as the proposed location of the easement area;
- Photos of the sewer line installation; and
- An email from the surveyor, Dan Johnson, which includes the legal description of the easement area.

<<3569 ROS REV 3-17-10.PDF>> <<Gorst Property City of Bremerton digging the ground 032.JPG>> <<Gorst

property May 09 city encroachment.JPG>> <<Gorst otherside of railway track.JPG>>

We propose that (1) the attached Record of Survey replace the City's diagram as "Exhibit A" to the Utility Easement and (2) the legal description of the easement in Mr. Johnson's email below replace the existing description in the Utility Easement.

We believe that these changes preserve for the City the benefits it is seeking, while limiting the total area of the easement to the area reasonably necessary for the City's anticipated needs.

Please call me with any questions. Thanks.

-Chris

-----Original Message-----

**From:** Dan Johnson [<mailto:danjohnson@aspenland.com>]

**Sent:** Wednesday, March 17, 2010 5:04 PM

**To:** Chris Wion

**Cc:** Natacha Sesko

**Subject:** RE: Utility Easement

Chris,

I met with Natacha on site this afternoon. With the aid of some photographs that she had taken while the pipeline was under construction, we were able to determine the pipeline location with respect to her property line quite accurately.

I have updated our survey map to show the pipelines, as well as the proposed easement, which is legally described as follows:

An easement upon, over, under and across a portion of Government Lot 1 of Section 32, Township 24 North, Range 1 East of the Willamette Meridian, in Kitsap County, Washington, described as follows:

Commencing at the intersection of the northwesterly margin of State Route 3 and the southerly margin of the U.S. Navy Railroad, being grantor's northeast corner; thence S 47°09'45" W along said northwesterly margin of State Route 3, a distance of 71.87 feet to the TRUE POINT OF BEGINNING; thence S 58°23'44" W, 102.67 feet; thence S 47°09'45" W, 95.03 feet to grantor's southwesterly line; thence S 38°09'46" E, 20.07 feet to said northwesterly margin of State Route 3; thence N 47°09'45" E, 197.37 feet to the True Point of Beginning.

Sincerely,

Dan Johnson

Daniel B. Johnson, PLS

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